

DEC 01 2005

AMENDMENT TRANSMITTAL

Applicants: Kenneth J. Stokes et al.
 Serial No.: 09/376,317
 Filed: August 18, 1999
 Title: System and Method for Genetically Treating Cardiac Conduction Disturbance

Examiners: Anne Marie S. Wehbe/Dave Nguyen
 Group Art Unit: 1632
 Docket: P-3569.01 Continuation

CERTIFICATE OF MAILING UNDER 37 CFR 1.8: I hereby certify that this Amendment Transmittal and the paper(s), as described herein, are being deposited in the U.S. Postal Service, as first class mail, addressed to Mail Stop Amendment, P.O. Box 1450, Commissioner for Patents, Alexandria, VA 22313-1450 on this 29 day of November, 2005.

Janita I. Traufler
 Janita I. Traufler

Mail Stop AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Amendment Transmittal
☒ Reply Under 37 C.F.R. 111 & Amendment Under 37 C.F.R. 1.121
☒ Amended Claims (Version with Markings to Show Changes Made)
☒ Return Postcard

FEE CALCULATION

CLAIM AMENDMENT(S)	Claims Remaining After Amendment	Highest Number Previously Paid For	Add'l Claims	Rate	Fee
Total Claims	1 -	25 =		x 50	\$00.00
Independent Claims	1 -	4 =		x 200	\$00.00
Multiple Dependent Claims	No			+ 360	\$
TOTAL					\$00.00

___ Applicant hereby petitions for a ___ month extension of time in the prior application. If an additional extension of time is required, please consider this a petition therefor;

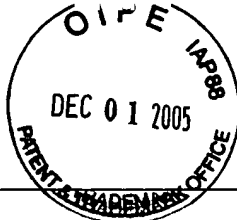
___ Charge Deposit Account No. 13-2546 the sum of \$_____.

☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

___ Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

November 28, 2005
 Date

Kenneth J. Collier
 Kenneth J. Collier, Reg. No. 34,982
 Customer Number 27581
 Telephone: (763) 505-2521



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Medtronic Inc.

By Juanita D. Traufler
Juanita Traufler

Date November 29, 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kenneth B. Stokes)
Josee Morissette)
Serial No.: 09/376,317)
Filed: August 18, 1999) Group Art Unit:
For: System and Method for Genetically Treating) 1632
Cardiac Conduction Disturbance) Examiners:
Docket No.: P3569.01 Continuation) Anne Marie S. Wehbe
Dave Nguyen

REPLY UNDER 37 C.F.R. 111 & AMENDMENT UNDER 37 C.F.R. 1.121

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants reply to the outstanding Office Action to USSN 09/376,317. The submitted Reply and Amendments are based on reviewing the Examiner's Action.

The enclosed response is submitted to put the case in condition for allowance. This response addresses the remaining issues from the last office action.

In the last Office Action the Examiner rejected pending Claim 20 under 35 U.S.C. 112, first paragraph, for indefiniteness, and requested that the status of each claim be properly addressed. Applicants respectfully request reconsideration of the above-captioned application under 37 C.F.R. §1.115 in light of the amendments and remarks in this response.

Applicants authorize the office to charge deposit account No. 13-2546 in the name of Medtronic, Inc., any necessary fees related to their response.

Amendments

Please indicate the status of claims 1-19, and 21-61 are all cancelled as shown on the marked up version of the claims attached herewith.

Please enter the contained amendments to Claim 20 found in the marked-up version of the claims attached herewith.

Explanation of the Amendments

In response to the last Office Action, Applicants have indicated the status of claims 1-19 and 21-26 as cancelled.

Claim 20 has been amended to add the feature that the reservoir means is located proximal to the distal tip portion of the catheter. Support for adding the location of the reservoir can be found specifically in Figure 1 and Figure 6B and the